

MARION COUNTY, INDIANA
2014 TAX SALE
INFORMATION AND PROCEDURES

PLEASE REVIEW THE ENTIRE CONTENTS OF THIS GUIDE!

NOTE: The Tax Sale item list will be available on the Treasurer's web page August 20th.
More information about this feature can be found on page 3 of this guide.

The following information and procedures **apply to Marion County only**. The statute governing tax sales in Indiana (*I.C. 6-1.1-24 &25*) affords the County Auditor and County Treasurer options regarding the manner in which the Tax Sale may be conducted. Therefore, the exact procedures by which a county conducts a tax sale for properties with delinquent taxes and special assessments may differ from county to county.

This public auction or "Tax Sale" of real property is required by Indiana law. While some unfortunate circumstances may exist which result in some properties being offered for sale, it is nonetheless required

that all properties with delinquent taxes, penalties, and special assessment liens for unpaid sewer user charges, delinquent weed cutting fees, delinquent solid waste service fees, delinquent storm water fees, delinquent health and hospital liens, delinquent nuisance fees and DMD liens as specified by law, be auctioned at the Treasurer's Tax Sale.

The Tax Sale enables the Treasurer to collect the revenue that has been levied for the operation of 42 governmental units and school districts within Marion County. The staffs of the Marion County Treasurer and Marion County Auditor appreciate the attention of prospective bidders and buyers to the procedures governing this Tax Sale. Thank you for your participation. Your comments are welcome.



CLAUDIA O. FUENTES
MARION COUNTY TREASURER

1. General Information

Location

Public Assembly Room, Second Floor, City-County Building, 200 E Washington Street, Indianapolis, IN

Date and Time

All times are Eastern Daylight

Thursday, October 16, 2014.

8:45 a.m. Tax sale instructions, Q & A

9:00 a.m. Sale begins.

Tax sale 9:00 a.m. to 12:00 p.m. and 1:00 p.m. until 4:00 p.m. If the 4 p.m. ending time needs to be extended it will be announced at noon.

Friday, October 17, 2014

9:00 a.m. resume tax sale. The number of remaining parcels to be offered will determine the time of a lunch break and ending time.

Auditor performs Notifications and Petitions

By written agreement with the Marion County Treasurer, the Marion County Auditor will perform the duties of notification and title search under I.C. 6-1.1-25.-4.5, and notification and petition to the court for a tax deed under I.C. 6-1.1-25-4.6.

IRS Claim

The IRS may claim redemption rights in properties sold which are subject to Federal tax liens pursuant to a right of redemption established under 26 U.S.C. §7425 which is different than that provided under Indiana Statute.

2. Bidder Registration

Every bidder is required to register and have deposited a minimum of \$1,000. Bidder numbers are required to bid and are only given to those who have registered and deposited the minimum amount.

The registration form requires the name, address and telephone number of the bidder as well as the name and address as they are to appear on the Tax Sale Certificate. Also required is either a Social Security Number or Federal I.D. number and completion of a W-9. The bidder must attest to information pursuant to IC6-1.1-24-5.3.

- **Pre-register online or at Treasurer's office**

To save time and parking fees complete the online registration form and mail the acceptable form of check or wire funds for deposit. Register at www.indy.gov/egov/county/treasurer/sale, beginning August 20, 2014.

Registration can be completed in the Treasurer's office, room 1001, City-County Building, 200 E Washington Street, Indianapolis, IN

- **Register Day of Sale**

Registering the day of sale involves waiting in long, slow lines, online key entry of information, carrying cash or acceptable forms of checks and possibly missing bidding on parcels of interest. Online pre-registering is convenient and fast. Registration will begin at 8 a.m. in room 224, Second Floor, City-County Building, 200 E Washington Street, Indianapolis, IN.

3. Required Deposit and Acceptable forms of Payment

- Bidders are required to have a minimum of \$1,000 on deposit with the Treasurer's office.
- **"Acceptable forms of Payment"** of the deposit and payments are limited to **cash up to \$7,500.00, Wired Deposits, Money Order, Certified Check or Cashier's Check** that is issued by a financial institution. These checks are to be made payable to the **Marion County Treasurer.**

- No personal or business checks will be accepted.
- Deposits may be made:
 - at the Treasurer's office in Room 1022 of the City-County Building through October 14, 2014.
 - on the day of the tax sale (expect long lines the first day) at the registration area in the Public Assembly Room.
 - by mail, addressed to:

Marion County Treasurer
Attention: Sale Account Deposit
Room 1022 City-County Building
200 E Washington Street
Indianapolis, IN 46204
- The Treasurer will not accept more than \$7,500.00 in cash from any one bidder, for the period of May 13, 2014 through the duration of the sale.

Successful bidders are **not** allowed time to "go to the bank" to secure funds to pay for their purchase(s).

4. Account Deposit Management

Charge to Account

Tax sale purchases are charged to the bidder's account using the successful bidder number at the conclusion of each auctioned item. If a bidder's deposit balance becomes too low to make subsequent purchases, the bidder will be required to deposit additional acceptable funds before making additional purchases.

Timely Refund of Unspent Deposits

All bidder unspent funds on deposit are refunded by a county check mailed within 10 days of the close of the auction.

Receipt for Purchase

Receipts for purchases are mailed after the account has been balanced and within 10 days of the close of the auction. After 7 p.m. of a tax sale day a bidder can view the status list to confirm purchases at www.indy.gov/egov/county/treasurer/sale

5. Eligible Parcels In Sale

Parcel Identification

The seven digit "parcel number" identifies a property and identifies the exact property being offered. While the owner and/or common address is advertised and/or read at the sale it is the parcel number that must be used to establish the exact property and location. **All sales are final; the bidder is responsible for determining the parcel location.**

Item Number Order of Sale

Parcels will be offered for sale in Item Number sequence, as identified in newspaper ads. Every parcel has an item number and all item numbers start with "49A" followed by the assigned numeric number.

Combined Parcels

Combined parcels will be announced by the auctioneer. A list of combinations will be distributed before the sale and posted at www.indy.gov/egov/county/treasurer/sale. The minimum price presented is the total of charges on all the parcels that are combined. Certain parcels, usually abutting and/or for which they must be combined to offer the entire improvement, have the same ownership and are sold together and must be redeemed together.

List of Available Parcels

A complete list of Tax Sale items is available as follows:

Newspaper: The list will appear in *The Indianapolis Star* and the *Court & Commercial Record*. It is updated for each advertisement and will be published on the following Wednesdays:

August 20, 2014
August 27, 2014
September 3, 2014

CD: A CD in Microsoft Excel format can be purchased for \$20.00 from the Treasurer's office beginning August 20th. The parcel list on the CD is the same as that which appears in the most recent newspaper advertisement.

Web page: Beginning Wednesday, August 20, 2014, a PDF file to view or download will be available and is updated nightly. The file is in the same format as the newspaper list. The Web address for viewing and/or downloading is www.indy.gov/egov/county/treasurer/sale

Paper list: A list of only the available item numbers is updated nightly and can be purchased for \$5.00 from the Treasurer's office beginning Wednesday, August 20th through the end of the tax sale. Only the Tax Sale Item Number will appear on the list, it is necessary to have one of the original listings to be able to obtain other information about the parcels.

6. All Sales Are Final!

All sales are final, if purchased there is no refund or exchange. The office of the Marion County Treasurer provides only the seven digit parcel number and minimum bid amount for it. Bidders are responsible for determining any and all information regarding the parcel and its suitability. Bidders are urged to thoroughly research the available tax sale properties to aid in identifying the exact piece of property identified by the parcel number. Research may include, but not necessarily be limited to, a review of:

- liens recorded with the Marion County Recorder;
- plat maps in the County Assessor's office;
- orders of the Department of Metropolitan Development and/or Health and Hospital concerning demolition orders and unsafe buildings;
- sewer user charges, solid waste service fees, and/or weed cutting charges that have not been certified to the Treasurer by the Department of Public Works; and
- Health & Hospital charges that have not been certified to the Treasurer.
- Nuisance Fees by Department of Code Enforcement that have not been certified to the Treasurer.

If a successful bidder buys a "pig in a poke", the buyer will get just that.

7. Bidding Procedure

Parcels will be offered in groups of 25 items such as items A1 through A25. At time of sale some items will not be available; bidders should confirm an item of interest is shown in the group. Any registered bidder may call out an item number within that range. **A call for a specific item number is an offer to purchase that item at the minimum advertised price.** Once the minimum bid is made, that item is auctioned to the highest bidder. Bid paddles must be raised high to be visible to the auctioneer and should remain up until no longer bidding. Following the sale of an item another item number within the group of 25 parcels can be called out and auctioned. This procedure continues until there is either no calls for item numbers within the group or all items in the group have been auctioned. At that time, the next group of 25 item numbers will be offered.

Once bidding commences on a particular item number the bidding increments will be set as deemed appropriate solely by the auctioneer based on the number of bidders.

Minimum Bid

A call for a specific item number is an offer to purchase that item at the minimum advertised price. The minimum bid is the total of all delinquent taxes, penalties, and special assessments presently due on the parcel, the 2013 pay 2014 Fall taxes and special assessment fees (if any) and the \$425.00 Administrative Cost.

The Administrative Cost includes \$265 for the advertising expenses and actual administrative costs and \$160.00 for the Title Search Fee that is charged with each sale. The Title Search enables the Marion County Auditor to notify all interested parties of public record that their office may be informed by the Auditor of the impending issuance of a Tax Deed to a different owner. The title search remains the property of the County Auditor.

Reoffer of Unsold Parcels

All unsold "A" parcels will be offered for sale again on the second day at the conclusion of the first offering of parcels.

Full Payment Due the Day of Sale

Bidders must have the correct type of payment at the time of becoming a successful bidder. A high bidder who fails to immediately pay the bid price in acceptable funds must pay a penalty of 25% of the amount of the bid per IC. 6-1.1-24-8.

8. No Rights to Property During Redemption Period

A bidder is purchasing the tax lien; the tax lien buyer's interest in the property is limited to the tax lien until one of the following occurs: 1) the property is redeemed, or 2) the redemption period has expired and the court has approved the issuance of a Tax Deed by the County Auditor, or 3) the tax lien buyer has not surrendered the lien to the County Auditor within the prescribed 6 month period.

Redemption Period**Sold**

"A" items: one year period following the date of sale.

Unsold

"A" items: 120 days following the date of sale.

During the redemption period the delinquent owner, occupant, or person with a substantial property interest of public record may "redeem the property", a term meaning to retain possession by paying all monies owed to the county plus required fees, penalties and interest. Redemption of the tax lien sold at tax sale results in the parcel remaining in the current owner's name.

Tax sale buyers are trespassing if they attempt to enter the premises or exercise any ownership rights during the redemption period and prior to the Tax Deed being issued in the buyer's name.

9. Obtaining Tax Sale Certificate

Tax sale certificates are prepared by the Marion County Auditor and approximately four weeks after the sale the Auditor's office will notify the lien buyer that the tax sale certificate is available. The lien buyer must present the tax sale receipt and photo ID to the Marion County Auditor, Room 841 of the City-County Building, in order to receive a Tax Certificate evidencing the buyer's lien against the property.

10. Optional Payment of Taxes During Redemption Period

A Tax Sale buyer may pay any taxes, penalties, and/or special assessments which become due on the parcel subsequent to the Tax Sale but before the redemption period expires. Such payments can be made by requesting a bill in person from the Marion County Treasurer and recording the payment with the Marion County Auditor.

If the property is redeemed, the buyer will be reimbursed for recorded payments of subsequent taxes, penalties, and/or special assessments plus interest at the rate of 5% per annum. **It is the Tax Sale Buyer's responsibility to record any such payment in the Auditor's office if the buyer expects to be reimbursed when the property is redeemed.**

11. Title Transfer after Redemption Period

The property will be transferred to the successful tax sale bidder if the owner does not redeem the property during the redemption period. If the property is not redeemed within the redemption period the Tax Sale buyer may present the Tax Certificate to the County Auditor and receive a Tax Deed to the property granting title to the property to the buyer or assignee of the buyer.

If the parcel is *not* redeemed and the Tax Sale buyer surrenders the Tax Certificate to receive a Tax Deed, all delinquent taxes, penalties, and/or special assessments which became due subsequent to the Tax Sale must be paid before the Auditor will petition the court to issue a Tax Deed to the Tax Sale buyer.

The Tax Sale buyer's lien expires three (3) months after the expiration of the redemption period.

If the tax lien buyer wants title to the property the lien buyer must present the Tax Certificate to the County Auditor during the 3 month period. After 3 months the lien is void and worthless.

12. Voided Sales

If, before redemption or the execution of a Tax Deed, it is found that the *sale* is invalid, the Tax Sale buyer is not entitled to a Tax Deed, but shall be entitled to a refund of the purchase price plus 5% per annum interest.

If, after the execution of a Tax Deed, it is found that the *deed* is invalid pursuant to *I.C. 6-1.1-25-12*, the Tax Sale buyer is entitled to a lien on the property in the amount of the purchase price, any taxes or special assessments paid subsequent to sale, and any amount due the Tax Sale buyer as an occupying claimant plus interest at 10% per annum.

13. Statutory Payment to Lien Buyer of Redeemed Property

If a property is redeemed the Tax Sale lien buyer receives:

- A. On the Minimum bid:
 - 110% of the minimum bid if redeemed not more than 6 months after the date of sale, or
 - 115% of the minimum bid if redeemed more than 6 months but not more than one year after the date of sale.
- B. On the difference between the successful bid price and the minimum bid (*referred to as Tax Sale Overbid*):
 - 5% per annum interest from the date of payment to the date of redemption.
- C. On any taxes and special assessments paid by the Tax Sale buyer subsequent to the sale:
 - 5% per annum interest from the date of payment to the date of redemption.

A buyer who is to receive a payment as a result of redemption will be required to complete Form W-9 if a signed form is not on file. The W-9 provides the County Auditor sufficient information to issue a 1099-INT for the amount of interest and redemption fee received.